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To: Subscribers of the DCTS Information Memo Email Distribution List

From: Patrick Cork, Administrator

Treatment Never Includes Sex Brochure

The Division of Care and Treatment Services (DCTS), with assistance from Disability Rights Wisconsin, has created a brochure to educate individuals receiving mental health and substance use treatment about their right to be free from sexual contact by their treatment professional. It is against the law for a treatment professional to engage in sexual relationships with their clients. This behavior is never acceptable.

The new brochure, entitled [*In Wisconsin, Treatment Never Includes Sex*](#), outlines common warning signs of inappropriate behavior by a treatment professional and the illegality of this conduct by the professional. It also educates individuals on what they can do if they have experienced sexual advances or contact while receiving services from a treatment professional.

The brochure outlines five points people should know:

1. Wisconsin is one of many states with rules regarding the professional conduct of counselors, psychiatrists, psychologists, and therapists.
2. It is illegal for treatment professionals to have sexual contact with clients.
3. While most treatment professionals do not sexually exploit their clients, it does happen.
4. It is not the client's fault, even if they wanted the sexual involvement with the helping professional.
5. There are many places to go to get information or to explore whether a treatment professional's behavior is inappropriate, unethical, or illegal.

Providers should make this brochure readily available to clients within their businesses. It is available in English and Spanish. It is recommended that the brochure is provided to all clients during the intake process when other rights information and standard paperwork is distributed. It should also be displayed in lobbies and common areas.

Wisconsin was the first state to pass a law specifically prohibiting sexual exploitation by a therapist and providing a penalty. The law, 1983 Wisconsin Act 434, was originally enacted on May 9, 1984. Since then, the law has been modified and can be found at [Wis. Stat. § 940.22](#).

Client Rights

Individuals receiving services for mental health, substance use, and developmental disability have client rights under Wis. Stat. § 51.61 and Wis. Admin. Code ch. DHS 94. Sexual contact by a treatment professional would be a violation of client rights. Client rights law outlines the grievance process to investigate potential rights violations. For more information on client rights, contact the [Client Rights Office](#).

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